

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARNALDO GARCIA-BAILON and
JUAN ZATARAIN-ONTIVERO,

Defendants.

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8:16CR119

ORDER

This matter is before the court on the motion for an extension of time by defendants Arnaldo Garcia-Bailon (Garcia-Bailon) (Filing No. 22) and Juan Zatarain-Ontivero (Zatarain-Ontivero) (Filing No. 23) . The defendants seek an extension of fourteen days in which to file pretrial motions in accordance with the progression order. Garcia-Bailon's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motions will be granted and the pretrial motion deadline will be extended for both defendants.

IT IS ORDERED:

Defendant Garcia-Bailon's and Zatarain-Ontivero's motions for an extension of time (Filing Nos. 22 and 23) are granted. The defendants are given until **on or before May 16, 2016**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 29, 2016, and May 16, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 29th day of April, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge